IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

Bail Appl..No. 4790 of 2007(R)

CMP.5893/2007 of J.M.F.C.-I,NEDUMANGAD
CRIME NO.344 OF 2007 OF VENJARAMOODU POLICE STATION

.....

PETITIONER : ACCUSED

RAJESH, S/O. GOPALAKRISHNAN NAIR,
AGED 37 YEARS, RESIDING AT RAJESH BHAVAN,
MAARIYAM, MUDAKKAL MURI, NELLANADU VILLAGE,
THIRUVANANTHAPURAM.

BY ADV. SRI.AYYAPPAN SANKAR
SRI.M.ZIYAD

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
THE GOVERNMENT PLEADER, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

B.A.No.4790 of 2007

Dated this the 8th day of August, 2007

ORDER

Second application for regular bail. The petitioner faces allegations under Sections 306 and 498 A I.P.C. Initially the F.I.R was registered under Section 174 Cr.P.C. I have adverted to facts in detail in the earlier order dated 13.07.07 in B.A.No.4258 of 2007. The prayer of the petitioner for bail was rejected by the said order. The learned counsel for the petitioner prays that at least now the petitioner may be enlarged on bail he having remained in custody from 30.06.07.

2. The application is opposed by the learned Public Prosecutor. The learned Public Prosecutor submits that the investigation has not made much headway as the investigators have not been able to trace the father and mother of the petitioner who along with the deceased and the petitioner as also the infant child were occupying the house where the alleged incident took place. The petitioner has not offered any satisfactory explanation for the serious injuries including fracture of the ribs suffered by the deceased. I am in these circumstances of the opinion that the petitioner cannot be enlarged on bail even now. Investigator must be given some further time to complete the investigation in a serious crime like the instant one.

3. This application for regular bail is, in these circumstances, dismissed. I may hasten to observe that the petitioner shall be at liberty to move this Court or the courts below for bail again at a later stage of the investigation - not, at any rate, prior to 22.08.07. The investigator shall in the meantime make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

rtr/-